

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the above amendments and the following remarks, is respectfully requested.

Claims 1, 3-9, 11-29, 31-37 and 39-56 are currently pending. The present amendment amends Claims 1, 3-4 and 31-32.

Applicant appreciates the Examiner indicating that Claims 25-28 and 53-56 are allowed and Claims 14-15, 19-24, 42-43, and 47-52 include allowable subject matter. For at least the reasons set below, Applicant respectfully submits that all the claims are in condition for allowance.

I. The Claims Satisfy Formal Requirements

The Examiner objects to Claims 3-4 and 31-32 for inappropriate numbering. Accordingly, Claims 3-4 and 31-32 are amended to recite the appropriate dependency. Withdrawal of the objection to Claims 3-4 and 31-32 is respectfully requested.

II. The Claims Define Patentable Subject Matter

Claims 1, 3-9, 29, and 31-37 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,930,008 to Nabeshima et al.; Claims 11-13, 16, 39-41, and 44 are rejected under 35 U.S.C. § 103(a) as unpatentable over Nabeshima in view of U.S. Patent No. 5,864,408 to Kumashiro; Claims 17-18 and 45-45 are rejected under 35 U.S.C. § 103(a) as unpatentable over Nabeshima in view of U.S. Patent No. 6,128,100 to Uemura et al.; and Claims 17-18 and 45-46 are rejected under 35 U.S.C. § 103(a) as unpatentable over Nabeshima in view of U.S. Patent No. 5,479,249 to Jugle et al.. These rejections are respectfully traversed.

The applied art does not teach, disclose or suggest that the moving means moves, during an interval between a start and an end of reading of the document, the glass platen

from a preselected home position by a preselected stroke and then returns the glass platen to the home position at least one time, as recited in Claim 1 and similarly recited in Claim 29.

Instead, Nabeshima is directed to an image reading device and method. When a document 402 is placed at the document set position, the glass surface of the glass platen 406 used to feed the document is read, and a determination is made as to whether or not the glass surface of the platen 406 is soiled. If the surface is not soiled, the roller 407 is rotated and the document is transported to the reading position. However, if the glass surface of the platen 406 is soiled or damaged the platen lever 411 is moved to move the glass platen 406. After this movement, the image of the document is read using the glass surface of the platen 406 which is not soiled or damaged. Accordingly, the image of the document using the clean reading position B as shown in Figure 3B rather than the soiled reading position A shown in Figure 3A, is used to read the image of the document.

However, Nabeshima does not disclose that while the document is read, the glass platen is moved. That is, as discussed above with respect to the disclosure in Nabeshima, if the glass surface of the glass platen 406 is soiled or damaged the moving lever 401 used for moving the document is moved so as to move the glass document platen 406. After the movement, the image of the document is read using the clean glass platen 406. Accordingly, the glass surface is cleaned first, if dirty, and then the document is read.

In contrast, Claims 1 and 29 recite that during the reading of the document, the glass platen is moved. This feature is not taught, disclosed or suggested by the disclosure of Nabeshima.

Thus, for at least the above reasons, Applicant respectfully requests that the rejection of independent Claims 1 and 29 under 35 U.S.C. § 102(b) be withdrawn. Claims 3-9 and 31-37 dependent from independent Claims 1 and 29 and are therefore allowable for at least the reasons set forth above as well as for the additional features that they recite.

With respect to Claims 11 and 39, the applied art does not teach, disclose or suggest that the glass platen is moved by the controller while the reading section reads an image, as claimed in Claim 11 and similarly claimed in Claim 39.

As discussed above with respect to Claim 1 and 29, Nabeshima discloses determining if the glass platen is soiled or not. If soiled, the glass platen is cleaned so that the document can be read with a clean glass platen 406. If the glass surface is not soiled, then the roller 407 is rotated and the document is transported to the reading position and the document is read while being transported. However, the glass platen is not moved while the image is read.

Kumashiro does not make up for the deficiencies of Nabeshima discussed above. That is, Kumashiro is directed to a reading device having a reference white selecting function for shading correction. Accordingly, Kumashiro does not teach, nor the Examiner rely upon Kumashiro for teaching the features of Claims 11 and 39 discussed above.

Thus, for at least the above reasons, Applicant respectfully requests that the rejection of independent Claims 11 and 39 under 35 U.S.C. § 103(a) be withdrawn. Additionally, Claims 12-16 and 40-44 which depend from independent Claims 11 and 39 are therefore allowable for at least the reasons discussed above as well as for the additional features that they recite.

With respect to Claims 17 and 45, and the rejection based on Nabeshima and Uemura, the applied art does not teach, disclose or suggest that while the moving means moves the glass platen, the cleaning means moves relative to the glass platen to thereby clean the top of the glass platen. The Examiner admits that Nabeshima does not disclose an express cleaning means affixed to the body and contacting the glass platen for cleaning a top of the glass platen. However, the Examiner asserts that Uemura makes up for this deficiency. Applicant respectfully disagrees.

Uemura merely discloses an imaging assembly 32 with a charger 322, a developing unit 323, a transfer roller 324, and a cleaning unit 325 which is located along a circumference of the photoreceptor 321. The cleaning unit 325 is designed to remove the toner residue on the surface of the photoreceptor 321.

Accordingly, there is no teaching, disclosure or even suggestion in the art for providing a cleaning means that moves relative to a glass platen to thereby clean the top of the glass platen while a moving means moves the glass platen. Uemura merely discloses a cleaner for a photoreceptor.

Similarly, Jugle merely discloses a brush cleaner with roll detoning and air waste removal. The photoreceptor belt 10 passes through the charging station to receive a charge. At the exposure station, light rays reflected from the original document are reflected through a lens and projected onto the photoreceptor belt 10. At the development station, the developer housing is brought into contact with the belt 10 to develop the electrostatic latent image. At the fusing station, the toner powder is permanently affixed to the sheet, with the remaining particles remaining on the photoreceptor belt to be removed at the cleaning station. The cleaning system as shown in Figure 2 includes a brush 100 which rotates and contacts the photoreceptor 10 causing a flicking action that releases the particles 140 therein. The particles 140 released from the fibers are carried away by the air flow to the waste toner chamber 180 by air channel 135 in the housing.

Accordingly, the applied art does not teach, disclose or even suggest that while moving means moves the glass platen, the cleaning means moves relative to the glass platen to thereby clean the top of the glass platen.

Furthermore, Applicant respectfully submits that there is no teaching, suggestion or motivation, either explicitly or implicitly, in either reference to combine the cleaning of the photoreceptor belts of Jugle and Uemura with the image reading device of Nabeshima to

arrive at Applicants' invention recited in Claims 17 and 45. Thus, Applicant respectfully submits that it is only through an impermissible hindsight reconstruction of Applicants' invention that the rejection of the claims can be understood.

Thus, for at least the above reasons, Applicant respectfully requests that the rejection of independent Claims 17 and 45 under 35 U.S.C. § 103(a) be withdrawn.

Claims 18-24 and 46-52 which dependent from independent Claims 17 and 45, are therefore allowable for at least the reasons set forth above as well as for the additional features that they recite.

Consequently, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Need Notice of Allowance for Claims 1, 3-9, 11-29, 31-37 and 39-56 is respectfully requested.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

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